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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,426	07/03/2001	Yu-Te Wu	8154-8	1887

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MARGER, JOHNSON & McCOLLOM, PC
1030 SW Morrison Street
Portland, OR 97205

EXAMINER

GELAGAY, SHEWAYE

ART UNIT	PAPER NUMBER
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2133

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/898,426

Applicant(s)

WU, YU-TE

Examiner

Shewaye Gelagay

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 03 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holtey et al. United States Letters Patent No. 5,293,424 and in view of Matyas et al. United States Patent Letters No. 4,757,534.

As per claim 1:

Holtey et al. teach a method comprising:

recording the locking signal, and setting a status of the storage medium to a locked state; (Col 2; lines 67-69; the microprocessor first loads a lock value into the non-volatile lock memory and resets the lock storage enable element inhibiting access.)

allowing the user of the computer to supply a disarm input; (Col. 12; lines 36-37; requesting the PIN or other identifying information from the user)

converting the disarm input into a converted signal; (Col. 8; lines 40-41; during an initial authentication operation for flash memory, a key value is loaded into the 32 bit K register)

comparing the converted signal with the locking signal; (Col. 8; lines 50-53; If the key value stored in the K register equals the lock value stored in the corresponding L register indicating that the user provided the proper identification)

releasing the storage medium from the locked state so as to allow the user to access the data stored in the storage medium when a match is detected between the converted and locking signals; and (Col. 11; lines 65-68; If authentication is successful the key register of each memory chip is loaded with the value stored in the Access Control Processor's memory.)

maintaining the locked state of the storage medium so as to deny the user access to the data stored in the storage medium when a match is not detected between the converted and locking signals. (Col. 4; lines 1-2; access is blocked to protected memory contents until the first authentication is successfully performed.)

Holtey et al. do not explicitly disclose reading a product serial number of the storage medium; and processing the product serial number to generate a locking signal;

Matyas et al. in analogous art, however disclose:

reading a product serial number of the storage medium; (Col. 5; lines 30; each diskette has a unique serial number; Col 5; lines 32-33; this serial number is also recorded in the header record of the diskette). (Col. 5; lines 37-38; a multi-digit authorization number is obtained by encrypting the program number and diskette serial

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number). It is obvious that the serial number is read before any kind of processing is done.

processing the product serial number to generate a locking signal; (Col. 5; lines 37-40; a multi-digit authorization number is obtained by encrypting (serves the same purpose as locking) the program number and diskette serial number, concatenated together under a secret cryptographic key available to and known only by the software vendor)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Holtey et al. to include a method comprising reading a product serial number of the storage medium; and processing the product serial number to generate a locking signal. This modification would have been obvious because a person having ordinary skill in the art would have been motivated by the suggestions, provided by Matyas et al. (Col. 2; lines 21-23) to implement a protection scheme which is simple, inexpensive and commercially acceptable.

As per claim 2:

Holtey et al. and Matyas et al. teach all the subject matter as described above. In addition, Holtey et al. further disclose, if authentication is unsuccessful, no operation is performed. (Col.11, lines 65-66) which would imply that the Access Control Processor is shut down or disabled. Holtey et al. do not explicitly disclose of forcing the computer to shut down when a match is not detected between the converted and locking signals. However, it would have been obvious to a person having ordinary skill in the art at the

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time the invention was made to modify Holtey et al.'s method to include forcing the computer to shut down when a match is not detected between the converted and locking signals. This modification would have been obvious because a person having ordinary skill in the art would have been motivated by the suggestions, provided by Holtey et al. (Col. 8; lines 37-39) in order to have strong security of the data storage medium. This way, in case where the storage medium is stolen it would limit the number of tries to guess the user input for unlocking the storage medium.

As per claim 3:

Holtey et al. and Matyas et al. teach all the subject matter as described above. In addition, Holtey et al. further teach, a method of further comprising the disarm input is a non-alphanumeric input. (Col. 3; lines 49-52; prompts the user of the system for entry of some form of authentication. This may be a password, a PIN, a specific pen computer "gesture" performed at a specific point on the writing surface, a spoken command or a voiceprint of the user.)

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Nakagawa U.S. Pat. No. 5,070,479

This reference pertains to a system determining authenticity of software in an information processing apparatus.

b. Chen et al. U.S. Pat. No. 5,694,471

This reference pertains to a system and method for preventing counterfeiting of an identification or transaction card, and for verifying that the user of the card is an authorized user.

c. Kuroda et al. U.S. 6,421,479

This reference pertains to an electronic data storage apparatus includes a data storage unit for storing electronic data; an authentication information generation unit for generating authentication.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shewaye Gelagay whose telephone number is 703-305-1338. The examiner can normally be reached on 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 703-305-9595. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Shewaye Gelagay
Patent Examiner
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